

3560. Misbranding of vodka. U. S. v. Samuel Schochet (Russian Monopol Co.). Plea of guilty. Fine, \$25. (F. & D. No. 5578. I. S. No. 3304-e.)

On June 19, 1914, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Samuel Schochet, doing business as the Russian Monopol Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on September 9, 1912, from the State of New York into the State of Maryland, of a quantity of vodka which was misbranded. The product was labeled: (Russian label, translated) "Government pure (or rectified) Spirits (or alcohol). 1/40 Vedro (or a certain Russian measure). Strength 57%. Price, Spirits 30 K, Bottle 3 K, Total 33 K." ("K" means "kopec," a Russian coin.) (English label) "Monopol Vodka Made and Bottled in Russia Monopol Co." (Reverse Russian label, translated) "St. Petersburg Revenue Office. R. H. B. 15. 1912. Government Whiskey. Storehouse No. 3."

An investigation by the Bureau of Chemistry of this department disclosed the fact that the vodka was a domestic product.

Misbranding was alleged in the information for the reason that the statements "Government pure (or rectified) Spirits (or alcohol) * * * Monopol Vodka Made and Bottled in Russia[n] Monopol [Co]. St. Petersburg Revenue Office. R. H. B. 15. 1912. Government Whiskey. Storehouse No. 3," appearing on the label aforesaid regarding the said article and the ingredients and substances therein contained, were false and misleading, in that they indicated that the article was Russian vodka, and a liquor produced in Russia and bottled under the supervision of the Russian Government, whereas, in truth and in fact, the said article was not Russian vodka, and was not a liquor produced in Russia and bottled under the supervision of the Russian Government, but was a liquor manufactured and bottled in the United States. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "Monopol Vodka Made and Bottled in Russia Monopol * * * St. Petersburg Revenue Office. R. H. B. 15. 1912. Government Whiskey. Storehouse No. 3," thereby indicating that the article aforesaid was Russian vodka, and a liquor produced in Russia and bottled under the supervision of the Russian Government, whereas, in truth and in fact, the said article was not Russian vodka, and was not a liquor produced in Russia and bottled under the supervision of the Russian Government, but was a liquor manufactured and bottled in the United States. Misbranding was alleged for the further reason that the product purported to be a foreign product, to wit, a product of Russia, whereas, in truth and in fact, it was not a foreign product, nor a product of Russia, but was a product of domestic manufacture.

On June 25, 1914, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARE VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *January 13, 1915.*